

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

BOOKER T. HUFFMAN	§	
	§	
V.	§	CIVIL NO. 2:19CV50
	§	
ACTIVISION PUBLISHING, INC., et al	§	

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MINUTES FOR FOURTH DAY OF TRIAL  
HELD BEFORE JUDGE ROBERT W. SCHROEDER III  
JUNE 24, 2021

OPEN: 8:42 a.m.

ADJOURN: 2:45 p.m.

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ATTORNEY FOR PLAINTIFF:	Patrick Zummo, Micah Dortch and Christopher Lindstrom
ATTORNEYS FOR DEFENDANTS:	Melissa Smith, Daralyn Durie and Leon Carter
LAW CLERK:	Susan Stradley
COURTROOM DEPUTY:	Betty Schroeder
COURT REPORTER:	Kate McAlpine

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8:42 a.m.	Outside the presence of the jury, Mr. Dortch offers three exhibits as an offer of proof; Mr. Andrew Esbenshade responds; Court responds
8:55 a.m.	Ms. Lanier advises the Court of Defendants' objections to the jury instructions
8:57 a.m.	Mr. Zummo responds
8:58 a.m.	Ms. Lanier advises the Court of Defendants' objections to the verdict form
8:59 a.m.	Mr. Zummo advises that Plaintiff does not have any objections
9:00 a.m.	Ms. Smith offers into the record exhibits used yesterday; Court advises that the defendants' exhibits are admitted without objection

9:03 a.m. Ms. Lanier advises the Court of the parties agreement regarding an instruction; Court responds

9:05 a.m. Recess

9:34 a.m. Jury seated

9:38 a.m. Mr. Zummo advises that the Plaintiff rests on its entire case

9:38 a.m. Ms. Durie advises that the Defendants rest on their entire case

9:38 a.m. Court gives final instructions to the jury

10:14 a.m. Mr. Zummo begins closing argument for Plaintiff

10:47 a.m. Ms. Durie begins closing argument for Defendants

11:15 a.m. Mr. Dortch concludes Plaintiff's closing argument

11:29 a.m. Jury excused to begin deliberations

11:31 a.m. Recess

2:35 p.m. Outside the presence of the jury, parties advise they need to read in some additional exhibits but it will be done after the jury is excused

2:37 p.m. Jury seated

2:37 p.m. Court is advised that a verdict has been reached and it is unanimous

2:38 p.m. Verdict read

2:38 p.m. Court polls the jury; all eight jurors stood; verdict is confirmed and accepted

2:39 p.m. Court thanks the jury and releases them

2:43 p.m. Jury released

2:43 p.m. Court asks the parties to meet and confer regarding a post trial briefing schedule due by next Friday; Mr. Dortch reads into the record exhibits used yesterday; no objections; received and admitted; Ms. Smith reads into the record additional exhibits used yesterday; no objections; received and admitted

2:45 p.m. Adjourned